



Ohio Aquatic Invasive Species Committee

Vessel Incidental Discharge Act (S. 168)

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November 29, 2017

VIDA – OVERVIEW

Most current version: March 30, 2017

22 Co-sponsors including three Great Lakes senators

Voted out of CST Committee

Included in S. 1129 – USCG Reauthorization as Title VIII

“Discharge Incidental to the Normal Operation of a Commercial Vessel”

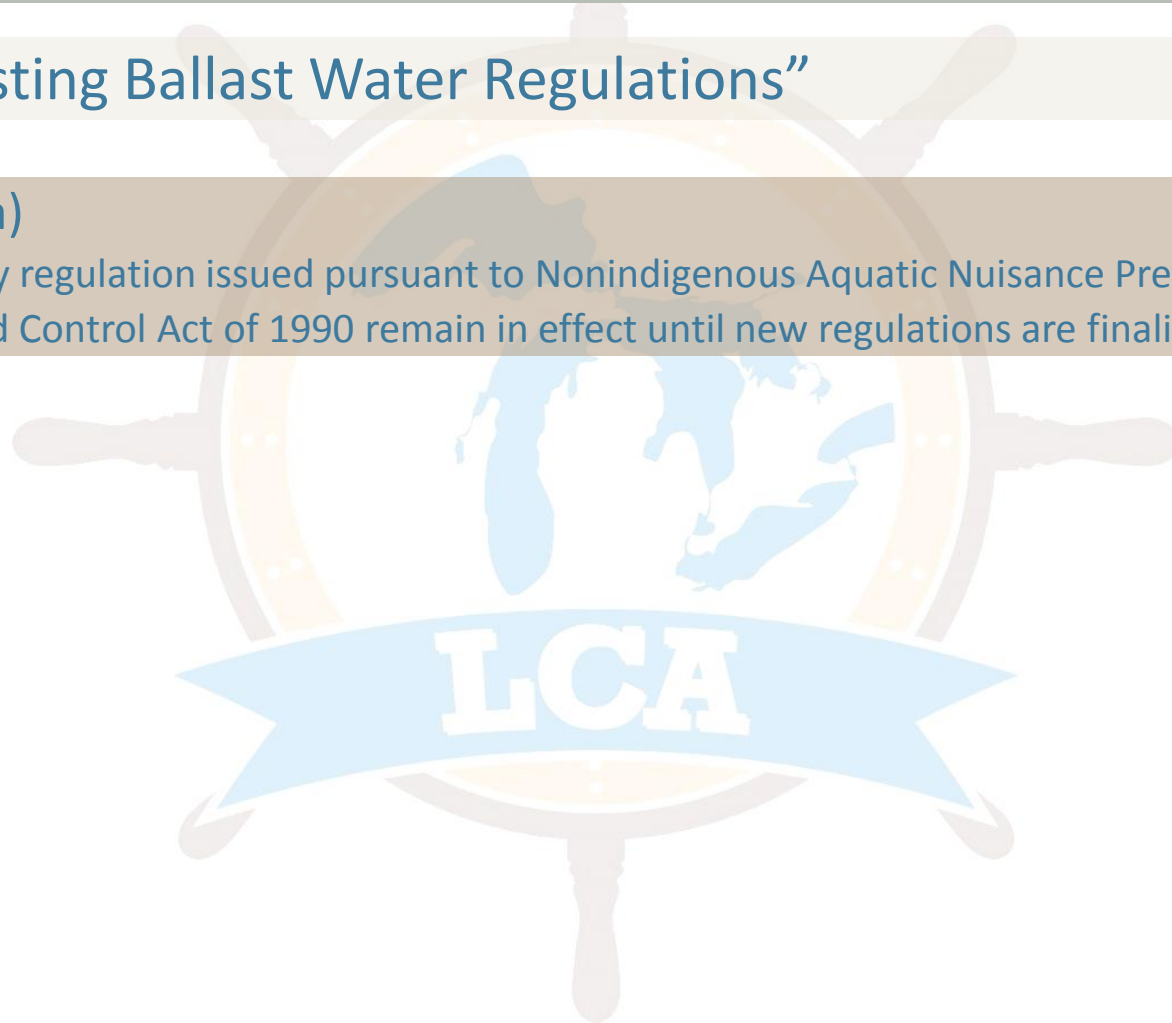
Ballast water

SECTION 803

“Existing Ballast Water Regulations”

803(a)

- Any regulation issued pursuant to Nonindigenous Aquatic Nuisance Prevention and Control Act of 1990 remain in effect until new regulations are finalized



SECTION 804

“Ballast Water Discharge Requirements”

804(a)(1)(A)

- Discharges using BATEA to meet discharge standard or off-vessel options

804(a)(2)(A)

- Codifies ballast water exchange for “salties”
- Comply with 33 CFR 151, Subpart C, Great Lakes provisions

804(b)(1)

- All commercial vessels are covered that carry ballast water in U.S. waters

804(b)(2)

Vessels exempted from meeting a specific discharge standard include:

- Uses a continuous flow-through system
- Discharges only potable water per Safe Drinking Water Act
- Operates in a “Geographically Limited Area”

SECTION 805

“Review of Ballast Water Discharge Standard”

805(a)

- Effectiveness Review

805(a)(2)

- January 1, 2022 and every 10 years thereafter

805(a)(3)(A)

- State petition process to request a review when new information indicates a revision to discharge standard that could reduce introduction of aquatic nuisance species

805(a)(3)(B)

- States may petition as often as every two years

SECTION 805

“Review of Ballast Water Discharge Standard”

805(b)

- Practicability Review

805(b)(1)

- USCG in consultation with U.S. EPA determines if a ballast water management system is capable of achieving proposed standard (economics/operation)
- Testing protocols can assure accurate measure of compliance

805(b)(2)

USCG verify:

- Capability of systems to meet new standard
- Effectiveness and reliability of those systems
- Compatibility with vessels on which they will be used
- Commercial availability
- Safety of the systems

SECTION 805

“Review of Ballast Water Discharge Standard”

805(c)

- Discharge Standard Revision

805(c)

USCG in consultation with U.S. EPA will revise the discharge standard when

- A ballast water management system is capable of meeting the new standard and is economically achievable and operationally practicable
- Testing protocols can assure measurement of compliance

LCA

SECTION 805

“Review of Ballast Water Discharge Standard”

805(d)

- Effective Date and Compliance Deadline

805(d)(1)

- New ballast water discharge standard must take effect within three years

805(d)(5)

Ballast water management systems can remain in use as long as they are functioning even after a new standard is set unless the:

- Service life of the system is expired
- Vessel is taken out of service (no transferring systems)
- Vessel undergoes “a major conversion” (definition of “constructed”)

OTHER SECTIONS

807

- Vessels can discharge to off-vessel facilities for the treatment of their ballast water

808

- States' requirements for discharges incidental to the normal operation of a commercial vessel remain in place until new regulations are published

810

- States can enforce compliance

811

- Preempts states from regulating ballast water discharges and discharges incidental to normal operations of a commercial vessel

QUESTIONS?

